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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,864	12/06/2000	Glen D. Tindal	CNTW-001/00US	1118
22903 7590 12/18/2006 COOLEY GODWARD KRONISH LLP ATTN: PATENT GROUP THE BOWEN BUILDING 875 15TH STREET, N.W. SUITE 800 WASHINGTON, DC 20005-2221			EXAMINER DOAN, DUYEN MY	
			ART UNIT 2152	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			12/18/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/730,864	TINDAL ET AL.	
	Examiner	Art Unit	
	Duyen M. Doan	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,9-11,40 and 42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 25,27-31,34,35,38 and 39 is/are allowed.
- 6) ☒ Claim(s) 1,3-6,9-11,40,42 is/are rejected.
- 7) ☐ Claim(s) 8 and 41 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This office action is in response to the submission filed on 9/8/06. Claims 1,3-6,8-11,25,27-31,34-35,38-42 are amended for examination. Claims 2,7,13-1,21-24,26,32-33,36-37 are cancelled. Claims 12-20 are previously withdrawn.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3-6,9-11,40,42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nataranjan et al (us pat 6,505,244) (hereinafter Nat) in view of Sciacca (us pat 6,760,761) (hereinafter Sci).

As regarding claim 1, Nat discloses receiving a network-condition notification, wherein the network-condition notification is indicative of a network condition (col.7, lines 15-16, report network information relating to network conditions to a centralized data store); determining a response to the network condition notification (col.7, lines 12-32, analyzing application specific information base on the information send from network element); searching a common repository for a central configuration record corresponding to the network device, wherein the central configuration record is one of

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a plurality of configuration records stored in the common repository (see col.7, lines 16-37, information store in the data store may include parameter, actions which may be used to affect the operation of one or more network elements); retrieving, in response to the determined response to the network condition, the a central configuration record from a the common repository of configuration records (see col.7, lines 12-43); modifying the central configuration record in accordance with the determined response to the network condition so as to generate a modified central configuration record (see col.7, lines 30-37, generate new or updated control information or parameters for affecting the operation of network element); storing the modified central configuration record in the common repository (see col.7, lines 30-43, store updated information in data store); generating at least one device-specific command corresponding to the modified central configuration record (col.8, lines 21-38, col.11, lines 1-15; col.23, lines 36-67), wherein the device-specific command is in a format that is native to the network device (col.8, lines 21-38, col.11, lines 1-15; col.23, lines 36-67); and transferring the generated at least one device-specific command via a network to the network device, wherein the device-specific command includes at least one instruction to change the local configuration record of the network device such that a modification in the central configuration record is reflected in a modification to the local configuration record (col.8, lines 21-38, col.11, lines 1-15; col.23, lines 36-67), which enables the network device to assist in responding to the network condition (col.8, lines 21-38, col.11, lines 1-15; col.23, lines 36-67).

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Nat does not disclose each of the plurality of configuration records uniquely, substantially and generically representing a local configuration of a corresponding one of the plurality of network devices.

Sci teaches database store device specific configuration information (see Sci col.3, lines 35-42; col.5, lines 3-25).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Sci to the method of Nat to include the device specific configuration of the device in the database because having the device specific information included in the database it would allow better way of managing different types of network resources (see Sci col.1, lines 7-28).

As regarding claim 3, Nat-Sci discloses publishing a message to an event bus; wherein the published message indicates that the retrieved central configuration record has been modified (see Nat col.7, lines 12-43; col.8, lines 21-38, col.11, lines 1-15; col.23, lines 36-67).

As regarding claim 4, Nat-Sci discloses verifying that the modified central configuration record complies with a network policy (see Nat col.15, lines 1-29; 38-55; col.21, lines 18-49; col.22, lines 13-31).

As regarding claim 5, Nat-Sci discloses publishing a work order in response to verifying that the modified central configuration record complies with a network policy (see Nat col.15, lines 1-29; 38-55; col.21, lines 18-49; col.22, lines 13-31).

As regarding claim 6, Nat-Sci discloses verifying the successful completion of the step of transferring the generated at least one device-specific command to the network

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device (see Nat col.7, lines 12-43; col.8, lines 21-38, col.11, lines 1-15; col.23, lines 36-67).

As regarding claim 9, Nat-Sci discloses wherein the retrieved central configuration record indicates that the network device is from a particular manufacturer, and wherein the retrieved device-specific command template is unique to the particular manufacturer (Sci see col.3, lines 35-42). The same motivation was utilized in claim 1 applied equally well to claim 9.

As regarding claim 10, Nat-Sci discloses wherein the retrieved central configuration record indicates that the network device is a particular device type and wherein the retrieved device-specific command template is unique to the particular device type (Sci see col.3, lines 35-42; col.4, lines 6-42). The same motivation was utilized in claim 1 applied equally well to claim 10.

As regarding claim 11, Nat-Sci discloses retrieving the central configuration record from a distributed common repository (see Nat col.7, lines 12-43; col.8, lines 21-38, col.11, lines 1-15; col.23, lines 36-67; also see Sci col.9, lines 32-52).

As regarding claim 40, claim 40 is rejected for the same reasons as rejection to claims 1 above.

As regarding claim 42, claim 42 is rejected for the same reasons as rejection to claims 4 above.

***Allowable Subject Matter***

Claims 25, 27-31, 34-35, 38-39 allowed.

Claims 8,41 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

Applicant's arguments with respect to claims 1,3-6,9-11,40,42 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



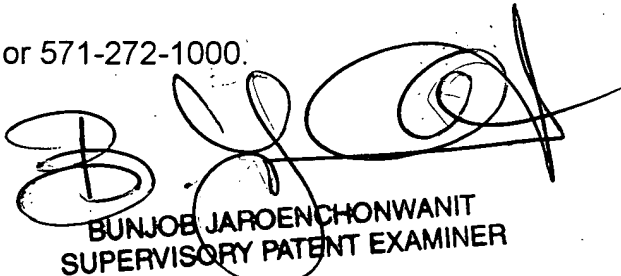
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner  
Duyen Doan  
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BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER